

underlying convictions would necessarily be challenged or questioned. Furthermore, the Plaintiff is now precluded by operation of the doctrine of collateral estoppel from challenging his prior criminal convictions in the instant matter in his attempt to prove that these Defendants used excessive force.

In support of their Motion for Summary Judgment, Cheatham County and Deputy Littlejohn rely on the entire record associated with this matter, as well as the following documentation filed contemporaneously herewith:

1. The Memorandum of Law in Support of Defendants' Motion for Summary Judgment;
2. The Statement of Undisputed, Material Facts;
3. A copy of Jason Littlejohn's Answers to Plaintiff's Interrogatories, attached hereto as Exhibit "A"
4. Excerpts from the Deposition of Aaron Glaeser, attached hereto as Exhibit "B"
5. Certified Copies of Judgment(s) of the Cheatham County Criminal/Circuit Court, Case No. 14544, attached hereto as Collective Exhibit "C"

Accordingly, Cheatham County and Deputy Littlejohn respectfully request that the Court grant its Motion for Summary Judgment and enter an Order dismissing each and every Defendant from this matter, with prejudice.

Respectfully submitted,

ORTALE, KELLEY, HERBERT & CRAWFORD

/s/ W. Carl Spining

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CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been served via ECF, on this 29th day of December 2006, on the following:

Adam W. Parrish

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Lebanon, TN 37087

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/s/ W. Carl Spining

W. Carl Spining